TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variatice from Section 238.1: to allow a front yard of 7' from property line in lieu of the required 25' & 47'f from the centerline of road in lieu of the required 50° Section 238,2: to allow a side yard of 2' in lieu of the required 30' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Due to the interior design of the existing building and location of the State Road entrance the addition that is required to the patrons lounge can only be accomplished by a front and side yard variance. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): J + R Bros. Inc. (Type or Print Name) (Type or Print Name)

Syfather Raymond V. DiPaula (Type or Print Name) Attorney for Petitioner: 2306 York Rd de or Print Name) Md 21093 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.: ORDERED By The Zoning Commissioner of Baltimore County, this _____ 31st____ day of August 19.84, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ____8th ____ day of ___October ____ 19.84 , at 10:45 o'clock Zoning Commissioner of Baltimore County.

FOR

IVED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of Avgust, 1984.

Zoning Commissioner Petitioner S& R Brothers, Inc.
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arno d Jablon TO Zoning Commissioner

Date September 18, 1984

Norman E. Gerber, Director FROM Office of Planning and Zoning

J & R Bros., Inc. SUBJECT No. 85-91-A

> Assuming compliance with the comments of the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office is not opposed to the granting of

> > Norman E. Gerber. Difector Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 1, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson. Maryland 21204

Mr. Raymond V. DiPaula
J & R Brothers, Inc.

Chairman

MEMBERS

Bureau of

Nicholas B. Commodari

Timonium, Maryland 21093

RE: Case No. 85-91-A (Itam No. 22)
Petitioner - J & R Brothers, Inc. Variance Petition

Dear Mr. DiPaula:

Department of State Roads Commission Fire Provention Health Department Project Planning Suilding Department Board of Education Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure regard to the development plans of plans or problems with this case. The Director of Planning may file a written as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be filing on the hearing file. This petition was accepted for hearing scheduled accordingly.

Very truly yours, Michelas B. Commodicings MICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

Enclosures

NBC:bsc

cc: E.F. Raphel & Assoc. 201 Courtland Ave. Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E.

August 29, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #22 (1984-1985) Property Owner: J & R Bros., Inc. N/W cor. York Rd. and Landstreet Rd. Acres: 2.5 District: 8th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

General:

DIRECTOR

Baltimore County highway and utility improvements are not directly involved. York Road (Md. 45) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State

The indicated existing 8-inch public sanitary sewerage is constructed within a 12-foot utility easement, one of the alleys, see Drawing #70-0486, File 1.

Highway Administration in addition to those of Baltimore County.

High View Street and Landstreet Road, if improved in the future as County roads, would be with 30-foot closed section roadways on 40 and 50-foot rights-of-way, respectively.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #22 (1984-1985) Property Owner: J & R Bros., Inc. August 29, 1984

General: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

GSB:EAM:FWR:ss

S-NE Key Sheet 56 NW 3 & 4 Pos. Sheets NW 14 A Topo 51 Tax Map

Maryland Department of Transportation

William K. Hellmann Hal Kassoff

August 3, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of July 31, 1984 ITEM: #22. Property Owner: J & R Bros., Inc. (Turf Inn) Location: NW/Cor. York Road and Landstreet Road Existing Zoning: B.R. Proposed Zoning: Variance to permit a front yard setback of 7' in lieu of the required 25° and 47° from the c/l of road in lieu of the required 50' and to allow a side yard setback of 2' in lieu of the required 30'. Acres: 2.5

Dear Mr. Jablon:

The State Highway Administration has no objection to the proposed addition, providing there are no projections beyond the proposed building line; 7' from the York Road right of way line. Any structure within this area would drastically restrict stopping sight distance at the entrance.

> Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits

District: 8th

cc: Ms. S. Carrell Mr. J. Cgle

CL:JM:maw

Mr. G. Wittman My telephone number is (301) 659-1350 Teletypewriter for Impaired Hearing or Speech By: John Meyers 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free 본O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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FE8 5 1995

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Bakimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitic or(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of ______, 19____, that the herein Petition for Variance(s) to permit

: BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCES NW Corner York & Landstreet OF BALTIMORE COUNTY Rds. (2306 York Rd.), 8th District Case No. 85-91-A J & R BROS., INC., Petitioner ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the

above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Ceter Max Commerce Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

Phyllia Cole Friedman

Phyllis Cole Friedman People's Counsel for Baltimore County

I HEREBY CERTIFY that on this 17th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to Raymond V. DiPaula, President, J & R Bros., Inc., 2306 York Road, Timonium, MD 21093, Petitioner.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERBER DIRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building 8-6-84 Towson, Maryland 21204 Re: Zoning Advisory Meeting of 7-31-84 Item # 22 Property Owner: J+R Bros., Inc. Location: nwicar. York Rd. + Landsteet Road Dear Mr. Jablon: The Division of Current Planni. Ind Development has reviewed the subject petition and offers the following comments. The items checked below are)There are no site planning factors requiring comment.
)A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory.)The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.)Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board X)Landscaping should be provided on this site and shown on the plan.)The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service)The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

(X)Additional comments: the amil to carry I'm

Parallet # 5-38-34 was for rear add from.

Chief, Current Planning and Development

Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: J & R. Bros., Inc. Location: NW/Cor. York Road and Landstreet Road Zoning Agenda: Meeting of July 31, 1984 Item No.: 22 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior () 6. Site plans are approved, as drawn. () 7. The Fire Prevention Bureau has no comments, at this time. REVIEWER: 15-0-01 Kelly 8-15-6 Approved: Loss Million Bureau Fire Prevention Bureau Special Inspection Division JK/mb/cm

August 14, 1984

BALTIMORE COUNTY FIRE DEPARTMENT

494-4500

Mr. William Hammond

Commissioner

PAUL H. REINCKE

TOWSON MARYLAND 21204-2586

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & UCENSES 10WSON, MARYLAND 21204 494-3610 August 29, 1984 TED ZALESKI, JR. DIRECTOR Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Dear Mr. Jablon: Comments on Item # 22 Zoning Advisory Committee Meeting are as follows: Property Owner: J & R Brothers, Inc. Location: NW/Cor. York Road and Landstreet Road Existing Zoning: B.R. Proposed Zoring: Variance to permit a front yard setback of 7' in lieu of the required 25' and 47' from the c/l of the road in lieu of the required 50' and to allow a side yard setback of 2' in lieu of the required 30'.

Acres: 2.5 Acres: 2.5 District: 8th. All structures shall conform to the Baltimore County Building Code 1981/Council
Bill 1-82 State of Marriand Code for the Handicapped and Ared: and other appli-Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applimiscellaneous

A building/ & other / permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 40., line 2, Section 1407 and Table 1402, also Section 503.2. F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s ______ G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require H. Defore this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to thru the services of a Registered in Maryland alteretes of mights this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401. Comments - A new permit to relocate the sign will be required. Provide handicapped parking signs for each space. Handicapped parking spaces shall be 12'0 wide. NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,

The state of the s

Mr. Raymond V. DiPaola, President J&R Brothers, Inc. 2306 York Road Timonium, Maryland 21093 NOTICE OF HEARING RE: Petition for Variance NW/Cor. York and Landstreet Roads (2306 York Road) J&R Bors., Inc. - Petitioner Case No. 85-91-A TIME: 10:45 A.M. DATE: Monday, October 8, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

C 017 --- 1000C:a 6234F

VALIDATION OR SIGNATURE OF CASHIEL

nur vita reini gegetetetetetetetetetetetetetetetetetet	O CERTIFICATE OF PUBLICATION
PETITION FOE VARIANCES stà Election District CCATION: Northwest corner York and Landstreet Roads (208 York Road) DATE & TIME: Monday, October 3, 1984 et 10:45 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesspeaks Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regu- ations of Baltimore County, will hold a public hearing: Petition for Variances to permit a front yard setback of 7 feet, more or less, from the property line in lieu of the required 26 feet, 67 feet, more or less, from the centerline of the road in lieu of the re- quired 30 feet. Being the property of J&R Bros. Inc. as shown on the plat filed with the Zoning Of- fice. In the event that this Peti- tion is granted, a building permit may be issued within the thirty (30) day appeal pe- riod. The Zoning Commissioner will, however, entertain any request for a stay of the issu- ance of said permit during this period for good cause shows Such request must be received in writing by the date of the hearing set above or made at the hearing. BY Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County Sept. 29.	TOWSON, MD., Sept. 20, 1984 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Sept. 20, 1984. THE JEFFERSONIAN, Blinding: Publisher

~9 45	ON
PETITION FOR VARIANC	ATE OF PUBLICA ON
- 8th Election Debuct	85 -91-A
LOCATION: Northwest comer York and Land- street Roads (2006) York Road)	03 = 7/1-H
DATE & TIME: Monday, October 8, 1984, at	1
10:45 a.m. PUBLIC HEARING: Room 108, County Office	l· /
Building, 111 West Chesapeake Avenue, Toward, Marviand	owson, Md
The Zoning Commissioner of Baltimoré County.	owson, Md198/.
By authority of the Zoning Act said Regulations of	
Betimore County, will hold a public hearing:	
Petition for Variances to permit a front yerd sittle back of 7 feet, more or tras, from the property line	HIS IS TO CERTIFY, that the annexed advertisement
in lieu of the required 25 feet, 47 feet, more or less, from the contentine of the road in lieu of the	ras published in the TOWSON TIMES, a weekly news-
required 50 feet and a sidayard seiback of 2 feet	aper distributed in Towson, Baltimore County, Md.
in the of the required 30 feet. Being the property of JLA Bross, Inc., as shown	ince a week for consecutive weeks, the
on the plat hied with the Zoning Office.	ince a week for consecutive recks, the
in the event that these Politions are granted, a	irst publication appearing on the 1711 day o
busiding permit may be insued within the thirty (30) day appeal puriod. The Zoning Commis-	
stoner will, however, praintain any request for a stay of the insurance of seal parent during this	
period for good cause shown. Buch request must	
be received in writing by the date of the hearing est above or made at the hearing.	T. TOWOON TIMES
BY ORDER OF	he lowson himes
APRIOLD JAILON ZONING COMMISSIONER	m'unauca
OF BALTIMORE COUNTY	The TOWSON TIMES M. Ungulle Cost of Advertisement: \$ 22.26
59079L63317 9/19 📈	Cost of Advertisement: \$ -22.29_

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY F5-91-APetitioner: J. Y. B. Bros. INC.

Location of property: NW/Corner of York Roal and Sound atret Rock

(2306 York Roll)

Location of Signs: I sign in front of 2306 York Roal and I sign

N/S of Finlativet Roal upper 25' West of york Roal

Remarks:

FEB 5 1985

F ...



ARNOLD JABLON ZONING COMMISSIONER

October 2:, 1984

Mr. Raymond V. DiPaola J&R Brothers, Inc. 2306 York Road Baltimore, MD 21093

RE: Petition for Variances NW/cor. York and Landstreet Roads (2306 York Road) J&R Bros., Inc. - Petitioner Case No. 85-91-A

Dear Mr. DiPaola:

This is to advise you that _____is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND No. 134364 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT IOLD JABLON ing Commissioner ACCOUNT R-01-615-000 FROM: J.R. Bros, Inc. FOR: Adverrising and Posting of Case No. 85-91-A 6 025*****52261a 2092F VALIDATION OR SIGNATURE OF CASHIER

Q. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21204

OFFICE: 825-3908

DESCRIPTION TO ACCOMPANY ZONING FETITION

RESIDENCE: 771-4592

TURF INN

2306 YORK ROAD

July 2, 1984

Beginning for the same at a point, said point being located at the intersection of the westernmost right o. ay line of York Road, (80' wide) and the northernmost right of way line of Landstreet Road, running thence on the western right of way of York Road, 1) By a curve to the right, with a radius of 17,396.78', for a distance of 11.81', 2) By a curve to the left with a radius of 76,564.36' for a distance of 217.33', thence leaving York Road and running the following 7 courses and distances: 1) S 77° 42' W 117.5' 2) N 12° 18' W 105.73' 3) N 76° 34' W 226.00' 4) S 13° 26' W 126.00' 5) N 76° 34' W 100.00' 6) S 13° 26' W 126.00' to the north side of Landstreet Road, thence on the north side of Landstreet Road, 7) S 76° 34' E 574.25' to the place of beginning.

Containing 2.5 Acres of land -.

Being the property known as the Turf Inn and located at 2306 York Road.



Reg. Prof. Land Sares

0

Mr. Raphel stated that, in his opinion, the conditions established by Section 307, Baltimore County Zoning Regulations (BCZR), will be satisfied. He further indicated that the proposed lobby cannot practically or physically be located anywhere else without razing the entire building.

The Petitioner requests relief from Sections 238.1 and 238.2, pursuant to Section 307, BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result

substantial detriment to the public good. fiter due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the require-

ment the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health,

sarety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10 day of October, 1984, that the Petition for Zoning Variances to permit a front yard setback of seven feet from the property line instead of the required 25 feet, 47 feet from the centerline of the road instead of the required 50 feet, and a side yard setback of two feet instead of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject to

> 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

AJ/srl

the following:

cc: T. Rogers Harrison, Esquire Y People's Counsel

RECEIVED FOR FILING

PETITION FOR VARIANCES

8th Election District

LOCATION. Northwest corner York and Landstreet Roads (2306 York Road)

DATE AND TIME: Monday, October 8, 1984 at 10:45 a.m.

Room 106, County Office Building, 111 West Chesapeake PUBLIC HEARING: Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a front yard setback of 7 feet, more or less, from the property line in lieu of the required 25 feet, 47 feet, more or less, from the centerline of the road in lieu of the required 50 feet and a sideyard setback of 2 feet in lieu of the required 30 feet.

Being the property of J&R Bros., Inc. the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCES

J & R Bros., Inc.,

NW/corner of York and Land-

Road) - 8th Election District

street Roads (2306 York

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 85-91-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

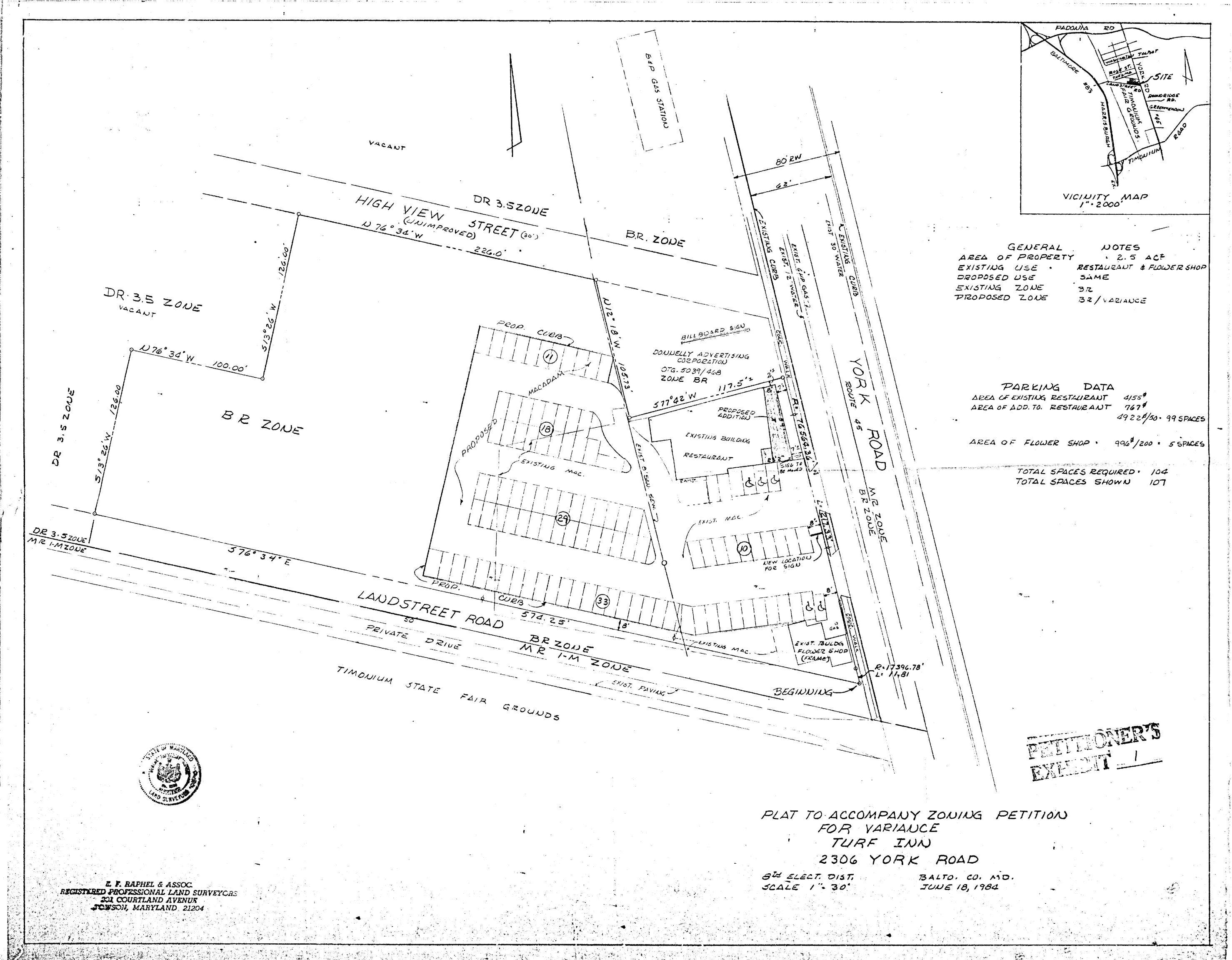
Petitioner

The Petitioner herein requests variances to permit a front yard setback of seven feet, more or less, from the property line instead of the required 25 feet, 47 feet, more or less, from the centerline of the road instead of the required 50 feet, and a side yard setback of two feet instead of the required 30 feet, as more fully described on Petitioner's Exhibit 1.

The Petitioner, by Manuel and Raymond DiPaola, owners of J & R Bros., Inc., appeared and were represented by Counsel. Also appearing on behalf of the Petitioner was Eugene Raphel, a registered land surveyor. There were no Protes-

Testimony indicated that the Petitioner, trading as the Turf Inn, a restaurant and bar, wishes to expand the restaurant by adding a lobby to the present building. The 8' x 59' x 23' addition will parallel York Foad. Although the Lontains 2.5 acres, the restaurant is located close to York Road and the add from cannot be constructed elsewhere. The building is very close to the nor side property line and no addition can be constructed there. The parking Eexists to the south and new toilet and kitchen service facilities are to ar. The front of the building faces York Road, and an obvious need for a lobb for waiting customers exists there, not elsewhere. It is important to that there was a wider front yard until York Road was expanded and im-

FEB 5 1985





Development Processing
County Office Building
111 West Chesapcake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 26, 1998

Richard A. Beall, 1'4 360 Jones Station Acad Arnold, MD 21012

Dear Mr. Beall:

RE: Spirit and Intent, Turf Inn Restaurant, 2306 York Road, Zoning Case 85-91-A, 8th Election District

Upon review of your letter and red-lined plan regarding the above referenced property, it is the opinion of this office that the proposed addition is within the spirit and intent of zoning case 85-91-A and the <u>Baltimore County Zoning Regulations</u>. Double-check the parking calculations; I calculate 114 required spaces, not 112.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours.

Joseph C. Merrey Planner II

Zoning Review

JCM:sci

Enclosure

c: zoning case 85-91-A

BALTIMORE COUNTY, MARYLAND No. 060321 OFFICE OF BUDGET & FINANCE FROCESS ACTUAL MISCELLANEOUS RECEIPT 10/23/1998 10/22/1998 14:44:26 ROG 19995 - Cashier Lsai Lxs Drawer -DATE 10/22/98 001-6150 5 MISCELLANCUS CASH RECEIPT Receipt # 079915 AMOUNT \$ 40.00 (JCM) Baltimore County, Waryland Richard L Beall Inc **VERIFICATION** #98-4355 2306 York Road CASHIER'S VALIDATION



RICHARD L. BEALL, INC., A.I.A.

ARCHITECT AND PLANNER

October 14, 1998.

ىمىن

Arnold Jablon Director
Office of Permits &
Development Management
111 Chesapeake Avenue, Room 115
Towson, Maryland 21204

Re: Turf Inn Restaurant, 2306 York Road

Dear Mr. Jablon:

J.R. Brothers, Inc. is the owner of the property known as 2306 York Road in Baltimore County. The Turf Inn Restaurant is located on this property and my company has been retained to help facilitate planned improvements to this restaurant site. The proposed improvements will include an addition, landscaping and exterior facade enhancements. I have provided the following zoning history for your, convenience and review, of the referenced property.

In Case no. 85-91A, a petition for Zoning Variance was filed and subsequently granted on October 10, 1984 allowing for a front yard setback of 7 feet from the property in lieu of the required 25 feet, 47° feet from the centerline of the road in lieu of the required 50 feet and a sideyard of 2 feet in lieu of the required 30 feet. The variances allowed for the construction of an addition to the front of the restaurant located along York Road.

In Case #86-520-XA, a petition for Special Exception for two illuminated advertising structures and a petition for Zoning Variance to permit a front yard setback of 3 feet in lieu of the required 25 feet and a distance of 25 feet to the street intersection in lieu of the required 50 feet were granted on June 30, 1986. An extension to these approvals was also granted on October 4, 1998 in Case No. 89-88-SH

The referenced restaurant has existed for more than 20 years and my client would now like to remove the existing outside covered deck and replace same with a new addition shown on the enclosed relined plans. The proposed addition is located within the setbacks as previously approved and no additional variances are necessary. The red-lined plan, attached hereto, clearly documents the existing site and structures and the proposed improvements.

Accordingly, on behalf of J.R. Brothers, Inc., I request the red-lined plan with the proposed improvements be approved by your office in accordance with the Spirit and intent of the previously cited zoning cases for this site and the Baltimore County Zoning Regulations. I have enclosed the required fee of \$40.00

OF 191998 98.4355 page two, Arnold Jablon, Director

Your consideration is greatly Appreciated.

Sincer

Richard L. Beall, A.I.

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